

# Exhibit 22

THE  
**Statutes at Large;**  
BEING  
**A COLLECTION**  
OF ALL THE  
**LAWs OF VIRGINIA,**  
FROM THE  
**FIRST SESSION OF THE LEGISLATURE,**  
IN THE YEAR 1619.

PUBLISHED PURSUANT TO AN ACT OF THE GENERAL ASSEMBLY  
OF VIRGINIA, PASSED ON THE FIFTH DAY OF FEBRUARY,  
ONE THOUSAND EIGHT HUNDRED AND EIGHT.

—:—  
**VOLUME IX.**  
—:—

By WILLIAM WALLER HENING.

“The *Laws* of a country are necessarily connected with every thing belonging to the people of it: so that a thorough knowledge of *them*, and of their progress would inform us of every thing that was most useful to be known about them; and one of the greatest imperfections of historians in general, is owing to their ignorance of law.”  
PRIESTLEY’S LECT. ON HIST. VOL. I. pa. 149.

—  
**RICHMOND:**  
**PRINTED FOR THE EDITOR.**

J. & G. COCHRAN, PRINTERS.

.....  
**1821.**

*At a Convention of Delegates for the <sup>Peyton Ran-</sup>  
Counties and Corporations in the <sup>dolph, esq.</sup>  
Colony of Virginia, held at Rich-  
mond town, in the county of Hen-  
rico, on Monday the seventeenth day  
of July, in the year of our Lord one  
thousand seven hundred and seven-  
ty-five.*

---

## ORDINANCES, &c.

### CHAP. I.

*An ordinance for raising and embo-  
dying a sufficient force, for the de-  
fence and protection of this colony.\**

WHEREAS it is found necessary, in the present <sup>Preamble.</sup> time of danger, that a number of forces should be immediately raised, and that the militia should be settled under proper arrangements, and be thoroughly disciplined, for the better protection and defence of the country against invasions and insurrections:

*Be it therefore ordained, by the delegates and repre- Two regi-  
sentatives of the several counties and corporations within- ments of re-  
the colony and dominion of Virginia, now assembled in gulars to be  
general convention, and it is hereby ordained by auth- raised.  
ority of the same, That there shall be forthwith raised,  
and taken into the pay of this colony, from the time of  
their enlistment, two regiments complete, to consist of  
one thousand and twenty privates, rank and file: Five Number.  
hundred and forty four of whom to be the first regi-  
ment, under the command of a colonel, lieutenant-co- Officers.  
lonel, and a major, eight captains, sixteen lieutenants,  
eight ensigns, twenty four serjeants, eight drummers,*

\* In the original, the title of this ordinance is wanting; nor are any of the chapters numbered. The title is here inserted from the Chancellors' Revisal, edi. 1785, p. 30, and the late edition of the Ordinances of 1816, p. 29.

## ORDINANCES OF CONVENTION,

and eight fifers; and the second regiment to consist of four hundred and seventy six, under the command of a colonel, lieutenant-colonel, major, seven captains, fourteen lieutenants, seven ensigns, twenty one serjeants, seven drummers, and seven fifers; to each of which regiments there shall be allowed a chaplain, a paymaster (who is also to act as muster-master) an adjutant, quarter-master, one surgeon, two surgeons mates, and a serjeant-major.

Staff.

Officers how appointed.

And for the better and more orderly appointment of the officers, *Be it farther ordained*, That the several field-officers shall from time to time be appointed, or approved, by the general convention of delegates; that the deputies of each district herein after described, excepting the counties of Accomack and Northampton, shall appoint one captain, two lieutenants, and one ensign, to command the company of men to be raised in such district; that the chaplain to each regiment be appointed by the field-officers and captains of such regiment; that the adjutant, quarter-master, and serjeant-major, be appointed by the commanding-officer of the regiment, the surgeon by the field-officers and captains, and the surgeons mates by the surgeon himself, with the approbation of the commanding officer of the regiment.

Colonel of 1st regiment allowed a secretary.

*And be it farther ordained*, That the commanding-officer of the first regiment shall be allowed a secretary, to be appointed by him, who shall be allowed four shillings a day for his services.

Enlistments, to be in districts.

And that the levy of the soldiers may be made general throughout the colony, and the better to avoid irregularity and confusion, *Be it farther ordained*, That the deputies of each district, except the counties of Accomack and Northampton, having appointed one captain, two lieutenants, and one ensign, as aforesaid, the said officers shall proceed, with the utmost expedition, to enlist within their respective districts their several companies, which are to consist of sixty eight men each; but the said officers shall not go into any other district to complete their company, until the officers in such other district have made up their company, nor, in that case, without the permission, in writing, of the committee of the county first had and obtained.

Regulations for mustering and inspecting.

And as well to prevent the enlistment of such men as are unfit for service, as to fix the rank of such officers, *Be it farther ordained*, That the deputies of each dis-

JULY 1775—INTERREGNUM.

11

trict shall appoint one certain place of rendezvous with, in their district, whither the captain of each company, as soon as it is complete, shall resort with his men, and shall give immediate notice thereof to the chairman of the committee of deputies, who is required forthwith to summon all the members of the said committee, who, or a majority of them, being present, shall either proceed themselves to review the said company, or appoint any number of their members, not under three, for that purpose: And if it shall appear to such committee of deputies that the company is complete, of able and proper men, and that they have been regularly enlisted, according to the terms and regulations prescribed by this ordinance, the said deputies shall order and direct the captain immediately to march with his company to the place of general rendezvous, hereafter to be appointed, and, moreover, shall grant to the said captain a certificate of the day when the said company first appeared complete, at the particular place of rendezvous in the district; which certificate being produced to the general committee of safety, the said committee shall cause the same to be entered in a book to be kept for that purpose, and shall cause the like certificates, from all the other district committees, to be entered in the same manner: And when all such certificates shall be returned, the same committee of safety, or the majority of those present, shall, and they are hereby required, to grant commissions, under their hands, to the officers of the several companies, according to their several appointments, fixing their ranks of seniority and precedence according to the priority of the completion of their several companies, certified as aforesaid; and if it shall appear, upon the examination of such certificates, that two or more of the companies appeared at the district rendezvous on the same day, the said committee of safety shall, in such case, determine the right of seniority and precedence amongst the several officers, by a fair and impartial ballot.

*And be it further ordained, That in case any vacancies shall happen, by deaths or otherwise, amongst the officers how-  
ever commissioned officers, the same shall be supplied, from supplied,  
time to time, by regular succession, in course of seniority, in the respective regiments and companies; and in case of a defect of officers to supply such succession, the commanding-officer of the regiment, shall appoint*

## ORDINANCES OF CONVENTION.

the most proper person, in his opinion, to supply such vacancy, to be approved by the committee of safety.

In privates.

And that the companies may be kept complete from time to time, *Be it farther ordained*, That if vacancies should happen among the private men, the commanding-officer of the regiment shall supply the same by new recruits, in the best and most expeditious manner he may be able.

Terms of enlistment.

*And be it farther ordained*, That the soldiers to be raised shall be enlisted on the terms following, to wit: That they shall continue in the service of the publick so long as may be judged necessary by the general convention, but not be compelled to continue more than one year, provided any soldier, or soldiers, do give the commanding-officer three months previous notice, in writing, of his or their desire to be discharged at the end of such period; and if it shall be judged necessary to disband the army before the expiration of twelve months, that each soldier discharged within that time shall be entitled to, and shall receive, six weeks pay in advance.

Pay when to commence.

That the pay of each captain, lieutenant, and ensign, shall commence the days of their appointment by the district committees; of the chaplain, and all the subaltern officers, on the days of their respective appointments; of the common soldiers, on the days of their enlisting; and that the pay of the several field and staff officers shall commence on the day of their being called into duty by the general committee of safety; and that the several recruiting officers may advance to each soldier, upon his enlisting, any sum he may think necessary, not exceeding one month's pay.

Who may not be enlisted.

*Provided always*, That no recruiting officer shall be allowed to enlist into the service any servant whatsoever, unless he be an apprentice, bound under the laws of this colony, nor any such apprentice, unless the consent of his master be first had in writing.

Arms and accoutrements, how furnished.

*And be it farther ordained*, That the soldiers to be enlisted shall, at the expense of the publick, be furnished each with one good musket and bayonet, cartouch box, or pouch, and canteen; and, until such musket can be provided, that they bring with each of them the best gun, of any other sort, that can be procured; and that such as are to act as rifle-men bring with them each one good rifle, to be approved by their captain, for the use of which he shall be allowed at the rate of twenty shillings a year; that each common soldier, not already

JULY 1775—INTERREGNUM.

18

sufficiently provided, in the opinion of his commanding-officer, shall be furnished with sufficient clothing, at the expense of the publick, to be deducted out of his pay.

*And be it farther ordained,* That the companies to Rifle-men. be raised in the districts of Pittsylvania, Fincastle, Bedford, and Botetourt, and of Berkeley, Frederick, Dunmore, and Hampshire, Augusta, Albemarle, Buckingham, and Amherst, Culpeper, Fauquier, and Orange, shall consist of expert rifle-men; and shall be, by the committee of safety, allotted two to each regiment, to be employed as light infantry.

*And be it farther ordained,* That proper medicine Medicines. chests, and necessary surgeons instruments, be provided &c. provided by public. at the expense of the publick.

And for the better protection and defence of the inhabitants on the frontiers of this colony, *Be it farther ordained, by the authority aforesaid,* That there shall be appointed and raised, exclusive of the regiments before-mentioned, two companies, consisting each of one captain, three lieutenants, one ensign, four serjeants, two drummers, and two fifers, and one hundred men rank and file, to be stationed at Pittsburg; of which the company ordered by this convention to garrison fort Pitt, under the command of captain John Neavill, shall be one; also one other company, consisting of a lieutenant, and twenty five privates, to be stationed at fort Fincastle, at the mouth of Weeling; the other company, of one hundred men, and the twenty five men to be raised in West Augusta, also one other company, consisting of one captain, three lieutenants, one ensign, four serjeants, two drummers, and two fifers, and one hundred privates, to be raised in the county of Botetourt, and stationed at Point Pleasant, at the mouth of the great Kanawah; and one other company, consisting of the same number of officers and men as the last, to be raised in the county of Fincastle, and stationed at such posts as may, from time to time, be ordered and directed by the committee of that county.

*And be it farther ordained,* That the committees of Officers how appointed. the district of West Augusta, and of the counties of Botetourt and Fincastle, shall appoint the officers to the men in each to be raised; and the several companies last mentioned shall be enlisted in the same manner, and under the same regulations, as are before prescribed for the regiments, except that such companies are

## ORDINANCES OF CONVENTION,

Chief in command.

not to march to the general rendezvous which may be appointed for the said regiments.

Pay of officers and privates.

*And be it farther ordained,* That the commanding officers to be stationed at Point Pleasant, and Fort Fincastle, shall be under the direction of, and subject to, such orders as they may from time to time receive from the commanding officer at Fort Pitt.

Pay of staff.

Tents.

Pensions.

Camp equi-  
page, provi-  
sions, &c.  
how provi-  
ded.

And for settling the pay of the officers and soldiers to be appointed, and levied as before directed, the same is declared to be as followeth, to wit: To a colonel, twenty five shillings per day; lieutenant-colonels, twelve shillings and sixpence; to a major, ten shillings; a captain, six shillings; a lieutenant, four shillings; an ensign, three shillings; chaplain, ten shillings, an adjutant, holding no other office, six shillings; if in other office, three shillings; to a quarter-master, holding, or not holding, any other office, the same as to an adjutant; to a serjeant-major, to be appointed from amongst the most expert serjeants, by the commanding-officer of the regiment, two shillings and sixpence; to a serjeant, two shillings; a corporal, drummer, and fifer, each one shilling and eightpence; to each private soldier, one shilling and four pence; to a surgeon, ten shillings; and to a surgeon's mate, five shillings per day.

*And be it further ordained,* That every commissioned and staff officer shall be allowed a tent, and every two serjeants shall have the same allowance, and every two corporals the same; and that for every six private men there shall be provided a proper and sufficient tent; and that one bell tent for each company shall also be provided, at the publick expense.

And for the greater encouragement and farther promotion of the service, *Be it ordained,* That if any person enlisted by virtue of this ordinance shall be so maimed or disabled as to be rendered incapable of maintaining himself, he shall, upon his discharge, be supported at the expense of the publick.

And to the end that the forces to be raised may be well and speedily supplied with waggons, tents, bedding, arms, accoutrements, clothes, provisions, and all other necessaries, *Be it farther ordained,* That the committee of safety shall, and they are hereby required, to appoint some fit person, or persons, to provide arms and accoutrements, clothes, waggons, tents, and bedding, upon the best and cheapest terms, and also to appoint one or more commissaries or contractors; who

JULY 1775—INTERREGNUM.

15

are hereby required to use all possible despatch in purchasing such provisions as shall be necessary for the army, and in laying of the same in such convenient place, or places, as may best suit their different stations and marches.

And for the more regular pay of the army, the said Paymasters, committee of safety shall appoint one or more paymasters; and it shall and may be lawful for the said committee, from time to time, to issue their warrants to the treasurer, appointed by or pursuant to an ordinance of this convention, for the paying the several recruiting officers, commissioners, commissaries, or contractors, and paymasters, by them appointed; and to all expressees, and other persons by them employed in lesser services, so much money as the said committee shall judge necessary for their several purposes, taking proper security for the due disbursement and application thereof, and making a proper and reasonable allowance to the several persons so to be appointed for their trouble and expenses in conducting either branch of business to him or them assigned. And the said committee shall have full power and authority to displace and remove from his office any person so by them appointed, either for misconduct or neglect of duty. And the said treasurer is hereby required to pay all such sums as he may be directed by such warrant, out of the publick money in his hands.

*And be it farther ordained,* That the said committee of safety shall have full power and authority, at such committee times and places as they may think convenient and necessary, to call all persons, who may receive any publick money for carrying into execution the purposes of this ordinance, to a strict account; and upon examining their accounts, and finding them justly stated, to certify the same, and, if necessary, to give proper acquittals and discharges.

And whereas it may be necessary, for the public security, that the forces to be raised by virtue of this ordinance should, as occasion may require, be marched to different parts of the colony, and that the officers should be subject to a proper controul, *Be it ordained,* by the authority aforesaid, That the officers and soldiers under such command, shall in all things, not otherwise particularly provided for by this ordinance, and the articles established for their regulation, be under the controul of general committee of safety.

## ORDINANCES OF CONVENTION,

troul, and subject to the order, of the general committee of safety.

Minute men how organized, out of the militia.

And whereas it is judged necessary, for the better protection of the country in times of imminent danger, that certain portions of the militia throughout the whole colony should be regularly enlisted, under the denomination of minute-men, and more strictly trained to proper discipline than hath been hitherto customary, and, to this end, that the whole colony should be divided into proper and convenient districts:

Colony divided into districts.

*Be it therefore ordained, by the authority aforesaid,* That this colony be immediately formed and divided into sixteen districts, in the following manner, to wit: One district to include the counties of Accomack and Northampton; one other, the counties of Princess Anne, Norfolk, the borough of Norfolk, and the counties of Nansemond and Isle of Wight; one other, the counties of Southampton, Sussex, Surry, Brunswick, Prince George, and Dinwiddie; one other, the counties of Mecklenburg, Lunenburg, Charlotte, Halifax, and Prince Edward; one other, the counties of Amelia, Chesterfield, and Cumberland; one other, the counties of Henrico, Hanover, Goochland, and Louisa; one other, the counties of Pittsylvania, Fincastle, Bedford, and Botetourt; one other, the counties of Buckingham, Amherst, Albemarle, and Augusta; one other, the counties of Elizabeth City, Warwick, York, James City, the city of Williamsburg, and the counties of Charles City and New Kent; one other, the counties of Gloucester, Middlesex, Essex, King and Queen, and King William; one other, the counties of Lancaster, Northumberland, Westmoreland, and Richmond; one other, the counties of Culpeper, Orange, and Fauquier; one other, the counties of Caroline, Spotsylvania, King George, and Stafford; one other, the counties of Prince William, Fairfax, and Loudoun; and one other district to include the counties of Berkeley, Frederick, Dunmore, and Hampshire; and the inhabitants of West Augusta are to compose one entire district.

Regiment to be raised in district of Accomack and Northampton.

*And be it farther ordained, That within the district containing the counties of Accomack and Northampton there shall be forthwith raised one regiment, consisting of six hundred and eighty men, from the ages of sixteen to fifty, to be divided into ten companies, sixty eight each rank and file, to be under the command of a colonel, lieutenant-colonel, and major, ten captains, twenty*

JULY 1775—INTERREGNUM.

17

ty lieutenants, ten ensigns, thirty serjeants; and each company shall be allowed a drummer and fifer, and the said regiment shall be allowed a chaplain, adjutant, quarter-master, surgeon, two surgeons mates, and a serjeant-major, as hereafter directed.

*And be it farther ordained,* That within each of the other districts there shall be immediately enlisted one battalion, consisting of five hundred men rank and file, from the age of sixteen to fifty, to be divided into ten companies of fifty men each, who are to be under the command of a colonel, lieutenant-colonel, and major, ten captains, ten lieutenants, ten ensigns, and twenty serjeants; each company to be allowed a drummer and fifer, and the battalion to be allowed a chaplain, adjutant, quarter-master, surgeon, two surgeons mates, and a serjeant-major, as hereafter directed.

*And be it farther ordained,* That the colonels, lieutenant-colonels, majors, captains, lieutenants, ensigns, and commissaries of musters, for the said regiment, and the several battalions, shall be appointed in the following manner, to wit: The committees of the counties of Accomack and Northampton shall each appoint six of their members as deputies to meet in one general committee, at such time and place as shall be appointed by the chairman of the committee of the said county of Accomack, which place shall be most central and convenient for the meeting of such deputies, and notice thereof shall be given by such chairman to the chairman of the committee of the said county of Northampton, at least ten days before the time of meeting; which deputies having met, according to such appointment, shall settle the number of minute-men to be enlisted in each county, and shall proceed to the choice of the several officers aforesaid. And to prevent inconveniencies which may arise from the deputies so to be appointed not being able to attend, the committee of each county shall appoint six others of their members to supply the places of such as are first named, and whose attendance at the general committee may be prevented by sickness or any other accidents.

*And be it farther ordained,* That the committees of the several counties of Elizabeth City, Warwick, York, James City, Charles City, and New Kent, shall in like manner appoint four of their members, and the committee of the city of Williamsburg two of their members, as deputies to meet in the general committee for

VOL. IX.

C

## ORDINANCES OF CONVENTION,

their district; that the committees of the several counties of Princess Anne, Norfolk, Nansemond, and the Isle of Wight, shall in like manner appoint four of their members, and the committee of the borough of Norfolk two of their members, to meet in one general committee for that district; and that the committees of the several other counties shall in like manner appoint three of their members, as deputies to meet in one general committee for their respective districts; which respective committee of deputies shall meet at such time and place as shall be appointed by the chairman of the committee of the county first named in such district, the place to be most central and convenient, and ten days notice at least of the time and place to be given by such chairman to the chairman of the several committees of the counties and corporations within the district: And the committee of deputies, having so met, shall settle the number of minute-men to be enlisted in each particular county, city, or borough, and shall appoint the same officers as are directed for the district of Accomack and Northampton, having regard to the difference of numbers, as before directed.

**Vacancies in  
deputies,  
how suppli-  
ed.** And to prevent the inconveniences which may arise from the inability of any of the deputies to attend the general committee, *Be it farther ordained*, That the committees of each particular county, city, or borough, at the time of nominating such deputies, shall appoint three others of their members to supply the places of such of their deputies as may be prevented from attending the general committee of delegates, by sickness, or any other accident.

**Chaplain and  
other staff,  
how ap-  
pointed.** *And be it farther ordained*, That the chaplain, adjutant, quarter-master, serjeon, and serjeant-major, shall be appointed by the field-officers and captains of each district, and the surgeons mates by the surgeon himself, with the approbation of the commanding-officer of the district. The surgeon to each battalion is to be previously engaged, but not paid except when he is attending the battalion, which shall be as often as they shall be called together upon training duty, or actual service; and the surgeons mates to be in pay only when the battalion is called into actual service; and the chaplains and quarter-masters are to attend their respective battalions wherever they may be stationed.

*And be it farther ordained*, That the several officers appointed for that purpose shall immediately proceed

JULY 1775—INTERREGNUM.

19

to enlist the minute-men within their respective coun-<sup>ties, city, or borough; and the said officers shall not go</sup> <sub>of minute-men, how</sub> into any other county, city, or borough, to complete <sup>made.</sup> their quotas, until the officers in such other county, city, or borough, have completed their quotas, nor, in that case, without the permission of the committee of such other county, city, or borough, in writing, first had and obtained.

And as well to prevent the enlistment of such men <sup>Regulations</sup> as are unfit for service, as to fix the ranks of the offi-<sup>for muster-</sup> cers of the several companies, *Be it farther ordained,* <sup>ing and in-</sup> <sup>specting.</sup> That the committee of each county, city, and borough, shall appoint one certain place of rendezvous within their county, city, or borough, whither the captain, and other officers, of each company, as soon as the same is complete, shall resort with their men, and give immediate notice thereof to the chairman of the committee, who is required to summon all the members of the said committee; who, or a majority of them, being present, shall either proceed themselves to review the said company, or appoint any number of their members, not under three, for that purpose. And if it shall appear to such committee that the company is complete, <sup>Commissions</sup> <sup>and rank of</sup> of officers <sup>according to</sup> able and proper men, and that they have been regular-<sup>ly enlisted, according to the terms and regulations pre-</sup> <sup>priority in</sup> <sup>completing</sup> scribed by this convention, the said committee shall grant to the captain a certificate of the day when the <sup>their com-</sup> <sup>panies,</sup> said company first appeared complete, at the particular place of rendezvous in the county, city, or borough; which certificate being produced to the general committee of safety, the said committee shall cause the same to be entered in a book to be kept for that purpose, and shall cause the like certificate from the other counties, city or borough committees, to be entered in the same manner. And when all such certificates shall be returned, the said committee of safety, or a majority of those present, shall, and they are hereby required, to grant commissions, under their hands, to the officers of the several companies, according to their several appointments, fixing their rank of seniority and precedence according to the priority of the completion of their companies, certified as aforesaid; and if it shall appear, upon examination of such certificate, that two or more of such companies appeared complete at the rendezvous of the county, city, or borough, on the same day, the said committee of safety shall, in such case, de-

## ORDINANCES OF CONVENTION,

termine the right of seniority and precedence, by a fair and impartial ballot.

**Rank of field officers, how settled.** And for settling the rank of the field-officers, the committee of delegates in each district shall certify the

day when the battalion in each district appeared completely embodied; and the committee of safety, upon receipt of such certificate, shall grant commissions to and fix the ranks of such officers, in the same manner as is directed in respect to other officers.

**Arms, &c. how provided.** *And be it farther ordained,* That each minute-man so to be enlisted shall be furnished with proper arms at the publick expense, and until such can be provided shall

bring into service the best gun that he can procure; and for every good rifle, to be approved by the respective captains, there shall be allowed to the owner making use of the same at the rate of twenty shillings a year; and moreover, there shall be provided at the expense of the public, for every minute-man not already furnished, one hunting shirt and pair of leggins.

**Tents.** *And it is hereby ordained,* That a tent for every commissioned and staff officer, one for every two serjeants, one for a drummer and fifer, one bell tent for every company, and one for every six men, shall be provided at the expense of the publick.

**Minute-men how trained, by companies and battalions.** *And be it farther ordained,* That the minute-men in each respective district, so soon as they are enlisted, and approved, as before directed, shall be embodied, and formed into separate battalions, and shall be kept in

training under their adjutant for twenty successive days; at such convenient place as shall be appointed by the committee of deputies in each district; and, after performing such battalion duty, the several companies of each battalion shall in their respective countys be mustered, and continue to exercise four successive days in each month, except December, January, and February, at such times and places as shall be appointed by their respective captains, care being taken that such appointments do not interfere with battalion duty.

**Further training by battalions.** *And be it farther ordained,* That, in order to render them the more skilful and expert in military exercise and discipline, the several companies of minute-men shall twice in every year, after the exercise of the twenty days, be again embodied, and formed again into distinct battalions within their districts, and shall at each meeting continue in regular service and training for twelve successive days, at such convenient places with-

## JULY 1775—INTERREGNUM.

21

in each district as shall be appointed by each committee of deputies, and at the stated times following; to wit: The district of Princes Anne, &c. to begin the first day of May, and the fifteenth of October; that of Elizabeth City, &c. on the fourth day of May, and the twentieth day of October; that of Southampton, &c. on the fourth day of May, and twentieth of October; that of Mecklenburg, &c. on the sixth day of May, and twenty second of October; that of Amelia, &c. on the tenth day of May, and twenty fourth of October; that of Henrico, &c. on the twelfth day of May, and twenty sixth of October; that of Buckingham, &c. on the fifteenth day of May and twenty sixth of October; that of Pittsylvania, &c. on the twentieth day of May, and thirtieth of October; which are to be considered as forming the general southern district.

Southern district.

*And be it further ordained,* That the several districts containing the counties of Accomack, Gloucester, Lancaster, Caroline, Culpeper, Prince William, Berkely, and West Augusta, shall meet in battalion on the same days before-mentioned, beginning with Accomack, and proceeding in regular order, as herein arranged; which last mentioned districts are to be considered as forming the general northern district.

Northern district.

*Provided always,* That if either of the days before-mentioned should happen to be on a Sunday, the time of beginning the exercise shall be on the day succeeding.

Sundays excepted.

*And be it further ordained,* That the officers and minute-men shall be allowed one day's pay for every twenty miles travelling to the place appointed for the general rendezvous of the several battalions, and the same for returning home; and moreover, sixpence per day in lieu of provisions. And the several battalions, whilst they continue on duty, shall be furnished with proper and necessary provisions, to be provided by a commissary or contractor, to be appointed in each district by the committee of deputies, whose duty it shall be to provide necessaries for the battalion of his district, or any detachment therefrom in their march, in case they should be called to service in any other part of the country; and the officers and minute-men in the several companies of each battalion shall be also allowed sixpence per day each, besides their pay, for the four days they shall exercise in their respective counties, in lieu of provisions.

Pay of officers and privates, while attending rendezvous.

ORDINANCES OF CONVENTION,

**Fines for delinquencies.** *And be it farther ordained, That every officer of minute-men who shall absent himself either from battalion duty or the private musters, in their counties, without sufficient excuse, to be judged of and allowed by a court-martial, shall be subject to the following fines, to wit: The colonel, for every day's absence from battalion duty thirty shillings; the lieutenant-colonel, twenty five shillings; the major, twenty shillings; a captain, twelve shillings; a lieutenant, eight shillings; and ensign, six shillings; a serjeant, five shillings; a corporal, drummer, and fifer, four shillings; and each private minute-man three shillings; an adjutant, twenty shillings; a quarter-master, twelve shillings; and a serjeant-major, six shillings. And for non-attendance at private musters, without a sufficient excuse, to be allowed as aforesaid, the officers and minute-men shall, for every day's absence, be subject to the following fines, to wit: a captain, twelve shillings; a lieutenant, eight shillings; and ensign, six shillings; a serjeant, five shillings; a corporal, drummer, and fifer, four shillings; and each private minute-man, three shillings. The several fines above-mentioned to be imposed by a court-martial, to consist of the field officers and captains of the district, or any seven of them, whereof a field officer shall be one, and deducted out of the pay of the delinquent, if so much shall be due to him; if not, to be levied on his estate, in manner as directed for fines imposed on the militia. And if any officer or soldier, during the time of his attendance on training duty, in battalion or companies, as herein directed, shall refuse to obey the commands of his superior officer, or behave himself mutinously or refractorily, or shall in any other manner transgress the rules of good order and decency, every such offender shall or may be confined, for any time not exceeding twenty four hours, or fined, in any sum not exceeding one month's pay, as shall be determined by the judgment of a court-martial, to be held as aforesaid; the fines to be deducted, or levied, as before directed.*

**Leave of absence.** *Provided always, That the commanding officer or captain of any company may, when occasion shall require, give leave of absence to any inferior officer or minute-man; but they shall not be entitled to pay during such absence.*

**Minute men, how long to serve.** *And as well for the ease of the minute-men, as that they may be returned in regular rotation to the bodies*

JULY 1775—INTERREGNUM.

23

of their respective militias, *Be it further ordained*, That after serving twelve months sixteen minute-men shall be discharged from each company by the commanding officer or captain of the company, and the like number at the end of every year, beginning with those who stand first on the roll, and who were first enlisted; and if those who stand first should choose to continue in the service, taking the next in succession desirous of being discharged, and so from time to time proceeding in regular progression.

*Provided*, That the officer shall not have it in his option to discharge a less number than sixteen in every year, whose places shall be supplied by new enlistments, to be taken in the manner first directed.

And for the more regular pay of the battalions, *Be it further ordained*, That one paymaster shall be appointed by the committee of safety for each of the sixteen districts; and the pay of the officers and soldiers, when on duty in their counties, or in battalion, or when drawn out into actual service, shall be as followeth, to wit: To a colonel, fifteen shillings per day; a lieutenant-colonel, twelve shilling and sixpence; a major, ten shillings; a captain, six shillings; a lieutenant, four shillings; an ensign, three shillings; a serjeant, two shillings; corporal, drummer, and fifer, each one shilling and eightpence; and a private man, one shilling and four pence per day; a chaplain, ten shillings per day; a surgeon, when the battalion is in training duty, or actual service, ten shillings per day; a surgeon's mate, five shillings; an adjutant, holding no other office, six shillings; if in other office, three shillings; a quarter-master to be appointed, and allowed the same as an adjutant; a commissary of musters to each battalion, appointed by the committee of deputies, ten shillings per day, for each day of his attending the battalion, or separate companies; and to a serjeant-major, to be chosen by the commanding-officer out of the most expert serjeants, two shillings and sixpence per day.

*And be it further ordained*, That the pay of the several officers and minute-men in each district shall commence from the completion of their respective battalions, and their meeting at the general rendezvous to be appointed as aforesaid.

*And be it further ordained*, That the exercise to be performed throughout the several battalions and com- <sup>Exercise of  
1764 adopt-  
ed.</sup>

## ORDINANCES OF CONVENTION,

panies shall be that recommended by his majesty in the year 1764.

Adjutant-general, his app: intment and duty.

*And be it farther ordained,* That there shall be appointed by the general convention one adjutant-general to the regular forces, who shall rank as youngest lieutenant-colonel; whose business it moreover shall be, once in twelve months, to visit the several particular districts arranged as aforesaid in the two general southern and northern districts, to superintend the conduct of the different adjutants, and see that they do their duty in their several departments, and also to take particular care that there is a due conformity in their exercise and evolutions, so that when the different battalions join in brigades there may be no mistake nor confusion: Of all which the adjutant general shall, once in every year, make a full report to this convention, and for his trouble and expenses in travelling he shall be allowed twelve shillings and sixpence per day.

Volunteers disbanded.

*And be it farther ordained,* That the several volunteer companies, raised in pursuance of the resolutions of a former convention, shall be disbanded, as soon as the battalions in the several districts where the said volunteer companies respectively reside are fully and completely embodied.

Proviso

*Provided,* That any officer or volunteer of the said companies may be, if approved, appointed to any office in the companies or battalion of minute-men, or enlist as private minute-men in such companies.

Impress-ments, how made.

*And be it farther ordained,* That the commanding-officer of the regulars, or any battalion, where occasion requires, shall grant one or more warrants for impressing any carts, waggons, horses, boats, or other necessaries which may be requisite, from time to time, for publick service; and the person receiving such warrant shall cause every article so impressed to be fairly appraised by two different freeholders, who are most convenient to the place of impressment, to be chosen by him and the owner of such article, his steward, or overseer; and in case the two appraisers so chosen should disagree, they shall choose an umpire; which appraisers and umpire shall first take an oath, to be administered by the officer ordering such impress, or any justice of peace in the county, that they will make a true and just appraisement; and the valuation or hire of such article or articles so impressed shall be paid by the publick, as justice may require. And moreover, the commanding-

JULY 1775—INTERREGNUM.

28

Officer of the regulars, or battalions, shall have power to issue his warrant for impressing any artificers that may be judged necessary for the public service; and if their wages cannot be agreed on, the same shall be settled in the manner last mentioned.

And whereas the counties of Accomack and Northampton, from their particular situation, are exposed to many dangers, *Be it farther ordained*, That the committee of deputies, if they judge it necessary, may keep two of the companies to be raised in their district in constant training, at the expense of the publick, in the same manner as directed for the regulars.

Accomack and Northampton may keep two companies.

*And be it farther ordained*, That the field-officers and captains of the regular forces, in case of any invasion or insurrection in any quarter where they may be stationed, shall immediately give notice to the captains or their superior officers of the minute-men residing in the next adjacent county, who shall, with all expedition, march the men under their command to the place of danger; and such officers not being the first in command in the district shall immediately give notice to the commander in chief of the districts, that they may judge what is farther necessary to be done. And moreover, the field-officers and captains of the regiments, at the time of their summoning in the minute-men, shall immediately give notice thereof to the president of the committee of safety, who is hereby required, without loss of time, to summon the said committee, that they may give such farther necessary orders and instructions as the exigency of affairs may require.

Regulars and minute-men when to act in concert.

*And be it farther ordained*, That every officer of the minute-men receiving notice from any other officer of the regular forces are stationed, of any invasion or insurrection, shall forthwith raise the men under his command, and send intelligence to the commanding-officer of the minute-men of that county, and also the commanding-officer of the militia, or, being himself commanding-officer of the minute-men of that county, shall immediately raise the men under his command, and proceed to oppose the enemy, taking care to despatch intelligence to the commanding-officer of the district, and also to the officer of the minute-men in the next adjacent county, who is to proceed in the same manner as the officer first receiving such intelligence is directed to do. But the several officers of the minute-men thus to

## ORDINANCES OF CONVENTION,

and of the militia.

be raised shall be subject to such farther directions and instructions as shall be given them either by the committee of safety, or a council of field-officers and captains, to be held for that purpose. And the commanding-officer of the militia receiving such intelligence shall immediately summon a council of his field-officers and captains, to consider and determine whether it is necessary to march his militia, or what part thereof, to the place of danger, and act according to their decision; giving immediate notice, if the importance of the case, in the opinion of the said council of war, shall require it, to the general committee of safety, whose orders and directions the said commanding-officer and his militia are hereby directed to obey.

Rank of officers, when united in service.

And for settling the proper rank amongst the officers, as well of the regulars, as of the minute-men and militia, whenever they are joined in actual service, *Be it farther ordained*, That in such case the several officers of the regulars shall take rank of the minute-men of the same rank, and the officers of the minute-men shall take rank of the officers of the militia of the same rank; but the minute-men shall not be under the command of the militia officers, nor the militia under the command of the minute officers, unless drawn out upon duty together.

Proviso.

*Provided*, That when the county-lieutenant is called out with his militia, in junction with the regulars or minute-men, he shall rank as a colonel; and the colonels, if their county-lieutenants be present, shall rank as lieutenant-colonels only; and the lieutenant-colonels as majors, in case of the presence of their county-lieutenant and colonel.

Fines, for delinquencies.

*And be it farther ordained*, That every officer or militia man, and every officer and minute-man, who shall refuse, or unreasonably delay, conforming to the above directions, in every particular, shall, for every refusal or delay, forfeit and pay the several sums following, to wit: Every lieutenant of a county the sum of two hundred pounds, every colonel two hundred pounds, every lieutenant-colonel (either of the minute-men or militia) the sum of two hundred pounds, every major of the minute-men or militia the sum of one hundred pounds, every captain the sum of seventy five pounds, every lieutenant the sum of fifty pounds, every ensign the sum of ten pounds, every serjeant and corporal the sum of five pounds; and every soldier or minute-man failing to

JULY 1775—INTERREGNUM.

27

appear, and not bringing with him his arms, shall forfeit and pay the sum of five pounds. Every delinquency of officers in the above respects to be judged of, and the said fines to be imposed, by a general court-martial; and if any officer shall refuse or neglect to pay the said fine, within one month, he shall be cashiered, and moreover be liable to a stoppage of his pay, towards discharging the said fine. Assessed by court-martial.

*Provided*, That if any officer shall think himself aggrieved by the sentence of such court-martial, he may appeal to the committee of safety, whose judgment shall be final; and every private soldier, or minute-man, refusing or neglecting to pay the same, or to give security to pay the same in one month after conviction, shall be subject to such corporal punishment as may be inflicted by a court-martial, not extending to life or member. Appeal to committee of safety.

*And be it farther ordained*, That the commander in chief shall have power, as occasion may require, to appoint one brigade-major, to be approved by the committee of safety; and such brigade-major shall be allowed six shillings for every day he is employed on duty.

*And be it farther ordained*, That the committee of safety shall, and they are hereby empowered, to provide proper winter-quarters for the regular soldiers, and minute-men when called into actual service, as they may see occasion, and issue their warrants from time to time for the payment of the same. Winter quarters, how provided for.

And whereas, by the expiration of several of our militia laws, and the act of our general assembly making provision against invasions and insurrections, which there is little prospect of having revived in any reasonable time, it is judged necessary, in the present time of danger, that the remainder of the militia not included in the minute-men should be armed, accoutred, trained, and disciplined, in the best manner the circumstances of the country will admit of, *Be it therefore ordained*, That in each county within this colony there shall be a county-lieutenant, colonel, lieutenant-colonel, and major, to be commissioned by the committee of safety upon the nomination of the committees of the respective counties; that all free male persons, hired servants, and apprentices, above the age of sixteen, and under fifty years, except such as are hereafter excepted, shall be enlisted into the militia by the commander in chief of Militia officers, how nominated and commissioned. Who liable to militia duty.

## ORDINANCES OF CONVENTION.

How enroll-  
ed.

the county, and formed into companies of not less than thirty two, nor more than sixty eight, rank and file, to be placed under one captain, one lieutenant, and one ensign, all of whom shall be commissioned by the committee of safety, upon the nomination of the committees of the counties as aforesaid. And the commander in chief of each county shall, within three months after passing this ordinance, deliver to each captain a list of the names of the men appointed for his company; and every captain receiving such list shall summon his company to meet him within a fortnight, at such convenient time and place as he may appoint, in order to lay a proper foundation for training and disciplining them in the most effectual manner.

Who ex-  
empted.

*Provided,* That the members of his majesty's council, and the committee of safety, the president of the convention, treasurer, attorney-general, auditor, clerk of the council, clerk of the secretary's office, clerk of the general convention, and clerk of the committee of safety (each of which exempts furnishing a stand of arms for a soldier) all clergymen and dissenting ministers, the president, professors, students, and scholars, of William and Mary college, the keeper of the publick jail, all overseers of four tithables residing on a plantation, and all millers, and persons concerned in iron works, shall be exempted from such enlistment.

Fine on co-  
lonel for ne-  
glect.

*And be it further ordained,* That if any commander in chief of any county shall fail to do his duty as above directed, he shall forfeit and pay the sum of two hundred pounds,

Arms, &c. to  
be furnished  
by militia.

*And be it farther ordained,* That every militia man so to be enlisted shall furnish himself with a good rifle, if to be had, or otherwise with a tomahawk, common firelock, bayonet, pouch, or cartouch box, three charges of powder and ball, and appear with the same at the place appointed for mustering, and shall constantly keep by him one pound of powder and four pounds of ball, to be produced whenever called for by his commanding-officer.

Exceptions.

*Provided always,* That no person shall be subject to the penalties hereby inflicted, for the not providing or producing the quantity of powder required, who shall make it appear to the court-martial that he has used his best endeavours to procure such powder, and hath not been able so to do; also, that if it be certified by a court-martial that any soldier enlisted is so poor as not

JULY 1775—INTERREGNUM.

29

to be able to purchase the arms aforesaid, then such arms shall, by order of the committee of the county, be procured so soon as may be, at the expense of the publick. And if any person shall presume to sell or buy any arms thus provided, he shall forfeit and pay the sum of six pounds; and all arms so purchased and delivered to any such poor soldier shall on his death, or removal out of the county, be delivered to the chief officer of the militia in the county, or to the captain of the company to which such poor soldier did belong, to be by such officer delivered to any other poor soldier whom the commanding-officer shall adjudge unable to provide himself with arms as aforesaid.

*And be it farther ordained,* That there shall be a private muster of the several companies in each county once a fortnight, except in the months of December, January, and February, and the officers and soldiers shall be on the place appointed by ten o'clock, in the forenoon, and moreover, there shall be a general muster in every county, in the months of April and October in each year, and the officers and soldiers shall appear on the parade by eleven o'clock in the forenoon.

*And be it farther ordained,* That if any officer, when on duty, shall misbehave, he shall be subject to the censure of a court-martial, who shall, if they see cause, certify, such misbehaviour to the committee of the county, city, or borough, by whom such officer was nominated, who shall have full power to displace and remove such officer from his post, if they shall judge it expedient for the good of the publick; and if any soldier shall, at any general or private muster, refuse to obey the command of his officer, or shall behave himself refractorily and mutinously, or misbehave himself at a court martial, it shall and may be lawful for the commanding-officer then present to cause such offender to be tied neck and heels, for any time not exceeding five minutes.

*And be it farther ordained,* That every captain, or Delinquents in his absence the next commissioned officer, shall how report<sup>ed</sup>, make return of all delinquencies in his company, either at general or private musters, to the next court-martial; and the better to enable him so to do, the senior serjeant being first sworn by a magistrate, shall act as clerk, and call over the roll at each muster. And the lieutenant, or other chief officers of the militia, shall and

## ORDINANCES OF CONVENTION,

may order the other officers and soldiers under him to go armed to their parish churches on Sundays, and to any licensed meeting-houses, whenever he judges it necessary.

Courts mar-  
tial when  
and how  
convened.

*And be it farther ordained,* That it shall and may be lawful for the field-officers and captains of every county, or the major part of them, whereof a field-officer shall be one, and they are hereby required, to meet at the courthouse of their respective counties the day next following the general muster in the months of April and October in every year, if fair, (if not, the next fair day) then and there to hold a court-martial; which court

Their pow-  
ers.

shall have power to adjourn from day to day, and to inquire of the age and abilities of all persons enlisted, and exempt such as they shall adjudge incapable of service, and of all delinquents returned by the captains for absence from musters, or appearing without arms, powder, or ball. And the said court, the better to conduct the business before them, shall and may appoint a clerk, to whom the president of the court shall administer an oath, well and faithfully to perform the duties of his office; and the said court shall allow such clerk,

Clerk.

so appointed, such salary as they may judge his services entitle him to. And every county-lieutenant, or the next officer in command, if the lieutenant should be absent on necessary business, failing to appoint a general muster, as before directed, shall forfeit and pay one hundred pounds; and every colonel, lieutenant-colonel, or major, failing to appear with their proper arms at any general muster, shall forfeit and pay ten pounds;

Fines, for  
delinquent-  
cies.

and every captain failing to muster and exercise his company once in every fortnight, except as before excepted, shall forfeit and pay forty shillings for every neglect; and failing to appear at any general muster, shall forfeit and pay fifty shillings. Every lieutenant failing to appear at any muster twenty shillings, and every ensign, for the like failure, the sum of twenty shillings; and every soldier not appearing, or appearing without proper arms, five shillings; or for not bringing with him three charges of powder and ball, three shillings; or failing to bring into the field, when required by his commanding-officer, one pound of powder, and four pounds of ball, five shillings. And every captain, or in his absence from muster the next commanding-officer, failing to return the list of the persons who shall not appear at muster to the courts-martial, or who shall

JULY 1775—INTERREGNUM.

31

appear without proper arms, powder, and ball, shall forfeit and pay ten pounds; provided, if the person so failing shall, at the next court-martial, or in case of his inability to attend at the succeeding court-martial, offer a reasonable excuse for any such delinquencies, such excuse shall and may be admitted, and the party complained of discharged of all and every the penalties aforesaid.

*And be it farther ordained,* That the captain of each company shall and may appoint one drummer and one fifer, who shall be paid for their attendance the same as is allowed in the minute service; and the said captains shall provide drums, fifes, colours, and halberds, at the publick expense, to be reimbursed out of the fines; and every clerk of a court-martial shall deliver a list of the fines imposed by the court-martial to the collector, within twenty days, under the penalty of one hundred pounds, to be imposed by the next succeeding court-martial.

*And be it farther ordained,* That every officer of the militia within this colony shall, at all times that he acts on duty, at any private or general muster, appear armed in the following manner, that is to say: every county lieutenant, colonel, lieutenant-colonel, and major, with a sword, and every captain and lieutenant with a fire-lock and bayonet, and a sword, and three charges of powder and ball; every ensign with a sword; every serjeant and corporal with a sword and halberd, under the penalty of twenty shillings; all the said fines to be levied by a court-martial, and appropriated to the purchasing arms and ammunition for the use of such as are not able to procure the same.

*And be it farther ordained,* That the soldiers shall be allowed six months after enlisting to provide themselves with arms, and in the mean time shall bring with them such arms as they have, under the penalty of five shillings, to be inflicted by a court-martial; and that all arms of the militia shall be exempted from executions or distresses, and all officers and soldiers shall be exempted from arrests in civil cases, during their continuance at, going to and returning from musters.

*And be it farther ordained,* That if any miller or overseer shall presume to appear at any muster of the militia or minute-men, or in any muster-field, on the day on which such muster shall be appointed, the party so offending shall forfeit and pay twenty shil-

How excus-  
ed.

Drums, fifes,  
&c.

Officers, how  
armed.

Privates,  
when and  
how armed.

Exempts not  
to appear at  
musters.

## ORDINANCES OF CONVENTION,

Fines on infants and servants how paid.

lings, to be assessed upon him by the next court-martial, upon a certificate of the offence to them made, by the captain or chief officer present at such muster, or the information, on oath, of any person whatsoever, and levied, accounted for, and appropriated, in the same manner as the other fines ordered by the court-martial. And that all fines and penalties incurred by infants or servants, for breach or neglect of duty in any particular service by this ordinance required of them, shall be paid by the parent, guardian, or master, of such infant or servant; and if the breach or neglect of such servants is not occasioned by their masters influence or direction, then the fines incurred by them, and so paid by their masters, shall be repaid to their masters, by the farther service of such servants after the times they are bound to serve are expired.

Collectors of fines, penalties on.

*And be it further ordained*, That if any collector, appointed by a court-martial, shall refuse to collect the fines imposed by such court-martial, after having undertaken the same, he shall forfeit and pay one hundred pounds; and if any collector refuses, or unreasonably delays, to pay all fines by him collected to the receiver who shall be appointed by a court-martial, he shall forfeit and pay double the amount thereof.

*And be it further ordained*, That the several militia officers to be appointed, before they enter on the execution of their office, shall take the following oath, to be administered before the committee of the city, borough, or county, to wit:

Oath of militia officers.

I A. B. do solemnly swear, that I will be faithful and true to the colony and dominion, of Virginia; that I will well and truly execute the office of county-lieutenant of the county of (or the office of as the case may be) according to the best of my skill and judgment. *So help me God.*

*And be it further ordained*, That every county-lieutenant, colonel, lieutenant-colonel, major, and captain, at the time of holding every court-martial, and before holding the same, shall take the following oath, which shall be first administered by the next in command to the presiding officer then present, and then be by him administered to the rest of the officers, to wit:

Oath of court martial.

I A. B. do swear, that I will do equal right and justice to all men, according to the ordinance of the general convention by which I am appointed to this office. *So help me God.*

JULY 1775—INTERREGNUM.

33

And every person accepting a commission in the militia, who shall neglect or refuse to qualify himself to act under the same, by taking the oath before mentioned, at the next meeting of the committee of his county, city, or borough, after receiving his commission, every such person shall forfeit and pay the sum of five pounds. Penalty for neglect.

*And be it farther ordained,* That the fines imposed by this ordinance on the chief officer for not enlisting the appropriate men in his county, and on the commanding-officer present in the county for not appointing general musters, shall be to the use of the county, for providing arms, and shall and may be recovered before a court-martial. Fines, how imposed.

*And be it farther ordained,* That all officers failing to attend a court-martial shall be subject to the same penalties as the chief officer for not appointing general musters; provided, if no court-martial is held immediately after the next general muster, then by the next succeeding court-martial. Fines for not attending courts martial.

*Provided always,* That nothing in this ordinance contained shall extend, or be construed to extend, to the inhabitants of the city of Williamsburg or borough of Norfolk, so as to oblige them to muster or serve in the militia out of the said city or borough; but that such inhabitants shall be enlisted and trained within the limits of the said city and borough, in the same manner as is directed by this ordinance, but under a colonel, a major, and the necessary number of captains and other officers, all of whom shall be nominated by the committees of the said city and borough respectively, and commissioned by the committee of safety. And the said militia officers, as well as soldiers, shall be liable to all the penalties before directed to be inflicted on the officers and soldiers in the counties, either for neglect of duty or misbehaviour, in any respect whatsoever, to be adjudged by the courts of hustings both in the said city and borough, without whose orders and directions neither of the said militias shall at any time be obliged to march out of the said city or borough. Exceptions as to Williamsburg and Norfolk.

*And be it farther ordained,* That the commanding-officer of the militia of every county, of the city of Williamsburg, and borough of Norfolk, shall appoint so many patrollers, as he may think fit, under proper captains, who shall receive a reasonable allowance for their trouble, at the laying of every county levy. Patrollers.

Quakers and  
Menonists  
exempted.

*And be it farther ordained,* That all quakers, and the people called Menonists, shall be exempted from serving in the militia, agreeable to the several acts of the general assembly of this colony made for their relief and indulgence in this respect.

Pay, &c. of  
militia call-  
ed into ac-  
tual service.

*And be it farther ordained,* That if the officers and militia should at any time be called out into actual service, they shall be under the same rules and regulations, be subject to the same penalties, and shall receive the same pay, as are appointed, prescribed, and allowed, to and for the regulars and their officers.

Collectors of  
fines, how  
appointed.

*And be it farther ordained,* That the court-martial of every county, city, and borough, in this colony, shall appoint some person, not being a member of such court, to receive all the militia fines inflicted by this ordinance; who, before he enters into the execution of his office, shall give bond, with sufficient security, payable to the members of the said court, sitting at the time the same shall be entered into and taken, and their successors, with condition for the due payment of all monies that shall come to his hands by virtue of his said office, which bond shall not become void on the first recovery, but may be prosecuted and put in suit from time to time, by and at the cost and charges in the law of any party or parties injured, until the whole penalty therein mentioned shall be recovered. And if any receiver

Remedy  
against.

hereafter to be appointed shall fail or delay to account with the court-martial, or to apply the money by him received as he shall be directed, after deducting at the rate of five per cent. which he shall be allowed for his trouble by the court-martial, that then, upon motion or complaint made to the county court, or court of hustings of the city of Williamsburg or borough of Norfolk, respectively, by any officer or soldier of the militia against such receiver, such court shall give judgment and award execution against him and securities, his executors, or administrators, for the same, and cause the money to be appropriated to the uses directed by this ordinance, in such manner as the court-martial shall appoint; provided, that such receiver, and his securities, their executors, or administrators, have ten days previous notice of such motion.

This ordi-  
nance, how  
published.

*And be it farther ordained,* That this ordinance shall, by command of each colonel, be publickly read at the head of his regiment, as soon as the same is embodied and formed, and once in six months thereafter, under

JULY 1775—INTERREGNUM.

35

the penalty of one hundred pounds, to be paid by such colonel for every neglect; and the same shall also be publickly read at every meeting of a battalion of the minute-men in each district, and at every general muster, by the order of the colonel, county-lieutenant, or chief officer then present, under the penalty of one hundred pounds, to be paid by any such officer for every neglect.

And whereas it is declared by this ordinance, that four hundred and twenty five men, under proper officers, shall be stationed at the several forts upon the frontiers of this colony, *It is hereby ordained,* That as soon as the treaty of peace shall be concluded with the several tribes of Indians bordering on the western parts of this colony, it shall be in the power of the committee of safety, if the convention is not sitting, to disband the whole, or such part thereof as to them shall seem most expedient and consistent with the good of this colony.

---

## CHAP. II.

### *An Ordinance for the better government of the forces to be raised and employed in the service of the colony and dominion of Virginia.*

*BE it ordained, by the representatives of the people in Convention assembled, and by the authority of the same,* That the following rules and articles be established, that is to say,

*Article I.* That every officer and soldier who shall serve in the provincial army, either of regulars or minute-men, shall, at the time of accepting his commission, and enlistment, subscribe the following rules and regulations, and thereafters be bound by the same; and moreover, every officer and soldier (except quakers, who are to make a solemn affirmation to the same effect) shall take the following oaths, to be administered by the committee of safety to the field-officers, by the respective county committees to the officers to be by

Articles of war.